

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICKY ANTHONY YOUNG,

Plaintiff,

v.

SCOTT RUSSELL, et al.,

Defendant.

CASE NO. C13-5079 BHS-JRC

ORDER ON MOTIONS NOTED FOR
SEPTEMBER 20, 2013

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and Magistrate Judge Rules MJR3 and MJR4.

The Court has three motions ripe for review. Plaintiff has filed a motion to stay discovery and a motion to extend discovery (ECF No. 61 and 63). Defendants have filed a motion for a protective order (ECF No. 67).

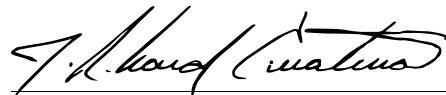
All of the parties' motions involve defendant Jean Anderson, who is on an extended medical leave and is allegedly not able to participate in the discovery process for health reasons (ECF No. 67-1 Attachment A).

1 The Court has broad discretionary power to control discovery. *Little v. Seattle*, 863 F.2d
2 681, 685 (9th Cir. 1988). The Court ordered that discovery in this action would close on
3 September 26, 2013. Other than outstanding discovery to defendant Anderson, plaintiff has not
4 shown good cause for reopening discovery. In the absence of a showing of good cause, the Court
5 will not re-open discovery for any other purpose. Thus, plaintiff's motion to extend discovery,
6 (ECF No. 63), is DENIED.

7 Plaintiff's motion to stay discovery, (ECF No. 61), is DENIED with the exception of
8 discovery that has already been sent to defendant Anderson. If, and when, defendant Anderson is
9 able to return to work, she will have thirty days to answer or object to the outstanding discovery.
10 No new discovery may be propounded to this defendant. Counsel will inform the Court promptly
11 if it becomes apparent that defendant Anderson will not be returning to work. The Court
12 recognizes that defendants did not object to a stay of discovery, (ECF No. 66), but there is no
13 reason to stay other pending discovery and the discovery deadline has now passed.

14 Defendants' motion for a protective order (ECF No. 67) is GRANTED to the extent that
15 defendant Anderson will not be required to participate in the discovery process until she returns
16 to work. Defendant Anderson will then have thirty days to answer or object to plaintiff's
17 outstanding discovery requests that were timely made before the discovery cutoff date.

18 Dated this 7th day of October, 2013.

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21 J. Richard Creatura
22 United States Magistrate Judge
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